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TO FAX NO.: 1-703308-4242

ATTENTION: Examiner Peter Paras Jr.
Group Art Unit 1632

Attorneys at Law
Patents, Trademarks,
Copyrights, Franchising

FROM: Colleen J. McKiernan, Reg. No. 48,570

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Re: Application Ser. No. 09/954,571, filed September 11, 2001, for "HIGH EFFICIENCY CARDIAC GENE TRANSFER", Inventors: Kenneth R. Chien et al.

Facsimile transmittal of:

- a) Response to Election Requirement [7 pages]
- b) This Facsimile Transmittal Sheet [1 page]

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
Kenneth R. CHIEN et al.) FOR: HIGH EFFICIENCY CARDIAC
Serial No.: 09/954,571) GENE TRANSFER
Filed: September 11, 2001) Group
) Art Unit: 1632

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RESPONSE TO ELECTION REQUIREMENT

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Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

VIA FACSIMILE
(703) 308 4242

Attention: Examiner Peter Paras Jr.

Dear Examiner Paras:

This is in response to the Office Action dated August 13, 2003. Claims 1-40 are pending in the case. The Examiner has issued a restriction requirement indicating that election must be made of either the invention of Group I (Claims 23-27), the invention of Group II (Claims 28-30), or the invention of Group III (Claims 32-40). No restriction was made of claims 1-22 and 31. The Applicants elect claims 1-22 and 31.

I hereby certify that this correspondence is being served via facsimile - (703) 308 4242 - addressed to: Commissioner for Patents , P. O. Box 1450, Alexandria, VA 22313-1450 on:

September 12, 2003
(Mailing Date)

Karen L. Johnson
(Registered Representative)

(Signature)

September 12, 2003
(Date of Signature)